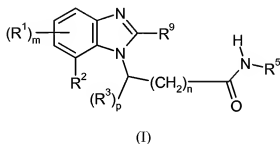


**Amendments to the claims:**

This listing of claims will replace all previous versions, and listings, of claims in this application.

**Listing of Claims:**

1.(currently amended) A compound having the formula



wherein:

R<sup>1</sup> is H, NO<sub>2</sub>, halo, NR<sup>6</sup>R<sup>7</sup>, C<sub>1-6</sub>alkyl, C<sub>2-6</sub>alkenyl, C<sub>2-6</sub>alkynyl, C<sub>1-6</sub>haloalkyl, C<sub>1-6</sub>haloalkylO, R<sup>6</sup>OC<sub>0-6</sub>alkyl, R<sup>6</sup>CO, R<sup>6</sup>OCO or CONR<sup>6</sup>R<sup>7</sup>;

m is 0, 1, 2 or 3;

R<sup>2</sup> is NO<sub>2</sub>, halo, NR<sup>6</sup>R<sup>7</sup>, C<sub>1-6</sub>alkyl, C<sub>2-6</sub>alkenyl, C<sub>2-6</sub>alkynyl, C<sub>1-6</sub>haloalkyl, C<sub>1-6</sub>haloalkylO, cyano, R<sup>6</sup>OC<sub>0-6</sub>alkyl, R<sup>6</sup>CO, R<sup>6</sup>OCO, R<sup>6</sup>CONR<sup>7</sup>, R<sup>6</sup>R<sup>7</sup>NCO, R<sup>8</sup>SO<sub>2</sub>, R<sup>8</sup>SO<sub>2</sub>HN, arylC<sub>0-6</sub>alkyl or heteroarylC<sub>0-6</sub>alkyl;

R<sup>3</sup> and R<sup>9</sup> are each independently H or C<sub>1-4</sub>alkyl;

p is 0, 1 or 2;

n is 0, 2, 3 or 4;

R<sup>5</sup> is C<sub>1-10</sub>alkyl, C<sub>6-10</sub>arylC<sub>0-6</sub>alkyl, C<sub>3-7</sub>cycloalkylC<sub>0-6</sub>alkyl or C<sub>5-6</sub>heteroarylC<sub>0-6</sub>alkyl, whereby any aryl, heteroaryl or cycloalkyl may be fused with aryl, heteroaryl,

C<sub>3-7</sub>cycloalkyl or C<sub>3-7</sub>heterocycloalkyl, and which R<sup>5</sup> may be substituted with one or more A;

A is H, OH, NO<sub>2</sub>, cyano, R<sup>6</sup>CO, ~~R<sup>6</sup>O(CO)~~, halo, C<sub>1-6</sub>alkyl, NR<sup>6</sup>R<sup>7</sup>, C<sub>1-6</sub>haloalkyl, C<sub>1-6</sub>haloalkylO, R<sup>6</sup>OC<sub>0-6</sub>alkyl, hydroxyC<sub>1-6</sub>alkyl, R<sup>8</sup>SO<sub>2</sub>, R<sup>8</sup>SO<sub>2</sub>HN, C<sub>5-6</sub>arylO or CONR<sup>6</sup>R<sup>7</sup>;

R<sup>6</sup> and R<sup>7</sup> are each independently H or C<sub>1-6</sub>alkyl; and

R<sup>8</sup> is NR<sup>6</sup>R<sup>7</sup> or C<sub>1-4</sub>alkyl,

or a pharmaceutically acceptable salt thereof, solvate or solvated salt thereof, with the proviso that the compound is not methyl 4-[(7-methyl-1H-benzimidazol-1-yl)acetyl]amino]benzoate.

2.(currently amended) A compound according to claim 1, wherein:

R<sup>1</sup> is H, halo, NR<sup>6</sup>R<sup>7</sup>, C<sub>1-6</sub>alkyl, C<sub>1-6</sub>haloalkyl, C<sub>1-6</sub>haloalkylIO, R<sup>6</sup>OC<sub>0-6</sub>alkyl, R<sup>6</sup>CO, R<sup>6</sup>OCO or CONR<sup>6</sup>R<sup>7</sup>;

m is 0 or 1;

R<sup>2</sup> is NO<sub>2</sub>, halo, NR<sup>6</sup>R<sup>7</sup>, C<sub>1-6</sub>alkyl, C<sub>1-6</sub>haloalkyl, cyano, R<sup>6</sup>OCO, R<sup>6</sup>CONR<sup>7</sup>, R<sup>8</sup>SO<sub>2</sub>, R<sup>8</sup>SO<sub>2</sub>HN or heteroarylC<sub>0-6</sub>alkyl;

R<sup>3</sup> and R<sup>9</sup> are each independently H or C<sub>1-4</sub>alkyl;

p is 0;

n is 0;

R<sup>5</sup> is C<sub>1-10</sub>alkyl, C<sub>6-10</sub>arylC<sub>0-6</sub>alkyl or C<sub>5-6</sub>heteroarylC<sub>0-6</sub>alkyl, whereby any aryl may be fused with C<sub>3-7</sub>cycloalkyl or C<sub>3-7</sub>heterocycloalkyl, and which R<sup>5</sup> may be substituted with one or more A;

A is H, cyano, halo, NO<sub>2</sub>, C<sub>1-6</sub>alkyl, NR<sup>6</sup>R<sup>7</sup>, C<sub>1-6</sub>haloalkyl, C<sub>1-6</sub>haloalkylIO, R<sup>6</sup>OC<sub>0-6</sub>alkyl, hydroxyC<sub>1-6</sub>alkyl, R<sup>8</sup>SO<sub>2</sub> or C<sub>5-6</sub>arylIO;

R<sup>6</sup> and R<sup>7</sup> are each independently H or C<sub>1-6</sub>alkyl; and

R<sup>8</sup> is NR<sup>6</sup>R<sup>7</sup> or C<sub>1-4</sub>alkyl,

~~or a pharmaceutically acceptable salt thereof, solvate or solvated salt thereof, with the proviso that the compound is not methyl 4-[(7-methyl-1H-benzimidazol-1-yl)acetyl]amino]benzoate,~~

3.(currently amended) A compound according to claim 1, wherein

R<sup>2</sup> is NO<sub>2</sub>, halo, NR<sup>6</sup>R<sup>7</sup>, C<sub>1-4</sub>alkyl, C<sub>1-4</sub>haloalkyl, C<sub>1-2</sub>haloalkylIO, cyano, R<sup>6</sup>OC<sub>0-4</sub>alkyl, R<sup>6</sup>CO, R<sup>6</sup>OCO, R<sup>6</sup>CONR<sup>7</sup>, R<sup>6</sup>R<sup>7</sup>NCO, R<sup>8</sup>SO<sub>2</sub>, R<sup>8</sup>SO<sub>2</sub>HN, arylC<sub>0-6</sub>alkyl and heteroaryl and wherein

R<sup>6</sup> and R<sup>7</sup> are each independently H or C<sub>1-4</sub>alkyl and

R<sup>8</sup> is NR<sup>6</sup>R<sup>7</sup> or C<sub>1-3</sub>alkyl,

~~or a pharmaceutically acceptable salt thereof, solvate or solvated salt thereof, with the proviso that the compound is not methyl 4-[(7-methyl-1H-benzimidazol-1-yl)acetyl]amino]benzoate,~~

4.(currently amended) A compound according to claim 1, wherein R<sup>2</sup> is NO<sub>2</sub>,

~~or a pharmaceutically acceptable salt thereof, solvate or solvated salt thereof, with the proviso that the compound is not methyl 4-[(7-methyl-1H-benzimidazol-1-yl)acetyl]amino]benzoate.~~

5.(currently amended) A compound according to claim 1, wherein R<sup>5</sup> is phenyl, which may be substituted with one or more A,

~~or a pharmaceutically acceptable salt thereof, solvate or solvated salt thereof, with the proviso that the compound is not methyl 4-[(7-methyl-1H-benzimidazol-1-yl)acetyl]amino]benzoate.~~

6.(currently amended) A compound according to claim 5, wherein A is selected from the group consisting of halo, alkoxy, haloalkoxy, haloalkyl, alkyl, alkanol, cyano, phenoxy, alkylsulfonyl and (di)alkylamino,

~~or a pharmaceutically acceptable salt thereof, solvate or solvated salt thereof, with the proviso that the compound is not methyl 4-[(7-methyl-1H-benzimidazol-1-yl)acetyl]amino]benzoate.~~

7.(currently amended) A compound according to claim 1, wherein A is selected from the group consisting of fluoro, iodo, chloro, bromo, methoxy, ethoxy, trifluoromethyl, difluoromethoxy, trifluoromethoxy, tetrafluoroethoxy, methyl, ethyl, propyl, butyl, hydroxyethyl, cyano, phenoxymethylsulfonyl and dimethylamino,

~~or a pharmaceutically acceptable salt thereof, solvate or solvated salt thereof, with the proviso that the compound is not methyl 4-[(7-methyl-1H-benzimidazol-1-yl)acetyl]amino]benzoate.~~

8.(previously amended) A compound selected from the group consisting of:

N-(3-Fluoro-4-methoxy-phenyl)-2-(7-nitro-1H-benzimidazol-1-yl)-acetamide,  
N-[2-Fluoro-4-(trifluoromethyl)phenyl]-2-(7-nitro-1H-benzimidazol-1-yl)acetamide,  
N-(3-Chloro-4-iodophenyl)-2-(7-nitro-1H-benzimidazol-1-yl)acetamide,  
N-(3-Chloro-4-methoxyphenyl)-2-(7-nitro-1H-benzimidazol-1-yl)acetamide,  
N-[3-(Difluoromethoxy)phenyl]-2-(7-nitro-1H-benzimidazol-1-yl)acetamide,  
N-[3-Methoxy-5-(trifluoromethyl)phenyl]-2-(7-nitro-1H-benzimidazol-1-yl)acetamide,  
N-(3,5-Difluorophenyl)-2-(7-nitro-1H-benzimidazol-1-yl)acetamide,

2-(7-Nitro-1*H*-benzimidazol-1-yl)-*N*-[4-(trifluoromethoxy)phenyl]acetamide,  
2-(7-Nitro-1*H*-benzimidazol-1-yl)-*N*-[3-(1,1,2,2-tetrafluoroethoxy)phenyl]acetamide,  
*N*-(4-*tert*-Butylphenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-[3-(1-Hydroxyethyl)phenyl]-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
2-(7-Nitro-1*H*-benzimidazol-1-yl)-*N*-[4-(trifluoromethyl)phenyl]acetamide,  
*N*-(3-Chlorophenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-Hexyl-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(3,4-Difluorophenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(4-Cyanophenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(2,3-Dihydro-1,4-benzodioxin-6-yl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(2-Bromobenzyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
2-(7-Nitro-1*H*-benzimidazol-1-yl)-*N*-[3-(trifluoromethyl)benzyl]acetamide,  
*N*-(4-Methylpyridin-2-yl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(3-Cyanophenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(3,5-Dimethoxyphenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(4-Methoxyphenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(3-Ethoxyphenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(3,4-Dimethoxyphenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
2-(7-Nitro-1*H*-benzimidazol-1-yl)-*N*-(3,4,5-trimethoxyphenyl)acetamide,  
2-(7-Nitro-1*H*-benzimidazol-1-yl)-*N*-[3-(trifluoromethoxy)phenyl]acetamide,  
2-(7-Nitro-1*H*-benzimidazol-1-yl)-*N*-(3-phenoxyphenyl)acetamide,  
*N*-(4-Butylphenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(2-Fluoro-4-iodophenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
2-(7-Nitro-1*H*-benzimidazol-1-yl)-*N*-[2-(trifluoromethoxy)phenyl]acetamide,  
*N*-(4-Methoxyphenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
2-(7-Nitro-1*H*-benzimidazol-1-yl)-*N*-(2-phenoxyphenyl)acetamide,  
*N*-(4-Bromo-2-fluorophenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-[3-(Methylsulfonyl)phenyl]-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-[4-(Methylsulfonyl)phenyl]-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
2-(7-Nitro-1*H*-benzimidazol-1-yl)-*N*-[4-(trifluoromethyl)benzyl]acetamide,  
*N*-(4-*tert*-Butylbenzyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(2,3-dihydro-1*H*-inden-5-yl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
2-(7-Nitro-1*H*-benzimidazol-1-yl)-*N*-[4-(trifluoromethoxy)benzyl]acetamide,

*N*-(4-Isopropylphenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(3,4-Dimethylphenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-1,3-Benzodioxol-5-yl-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-[3-Bromo-4-(trifluoromethoxy)phenyl]-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(3-Fluoro-2-methoxyphenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(3,5-dimethoxyphenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)propanamide,  
*N*-(3-Ethoxyphenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)propanamide,  
2-(7-Nitro-1*H*-benzimidazol-1-yl)-*N*-[3-(trifluoromethyl)phenyl]propanamide,  
*N*-(3,5-Dimethylphenyl)-2-(7-nitro-1*H*-benzimidazol-1-yl)acetamide,  
2-(7-Nitro-1*H*-benzimidazol-1-yl)-*N*-[3-(trifluoromethyl)phenyl]acetamide,  
2-(7-Bromo-1*H*-benzimidazol-1-yl)-*N*-(3,5-dimethoxyphenyl)acetamide,  
2-(7-Bromo-1*H*-benzimidazol-1-yl)-*N*-(3-methoxyphenyl)acetamide,  
2-(7-Bromo-1*H*-benzimidazol-1-yl)-*N*-[3-(trifluoromethyl)phenyl]acetamide,  
2-(7-Chloro-1*H*-benzimidazol-1-yl)-*N*-(3,5-dimethoxyphenyl)acetamide,  
2-(7-Chloro-1*H*-benzimidazol-1-yl)-*N*-[3-(trifluoromethyl)phenyl]acetamide,  
2-(7-Chloro-1*H*-benzimidazol-1-yl)-*N*-(4-methylphenyl)acetamide,  
2-(7-Chloro-1*H*-benzimidazol-1-yl)-*N*-(2,3-dihydro-1*H*-inden-5-yl)acetamide,  
2-(7-Methyl-1*H*-benzimidazol-1-yl)-*N*-(4-methylphenyl)acetamide,  
*N*-(3,5-Dimethoxyphenyl)-2-(7-methyl-1*H*-benzimidazol-1-yl)acetamide,  
2-(7-Methyl-1*H*-benzimidazol-1-yl)-*N*-[3-(trifluoromethyl)phenyl]acetamide,  
*N*-(2,3-Dihydro-1*H*-inden-5-yl)-2-(7-methyl-1*H*-benzimidazol-1-yl)acetamide,  
Methyl 1-{2-[(3,4-dimethylphenyl)amino]-2-oxoethyl}-1*H*-benzimidazole-7-carboxylate,  
Methyl 1-[2-(2,3-dihydro-1*H*-inden-5-ylamino)-2-oxoethyl]-1*H*-benzimidazole-7-carboxylate,  
Methyl 1-{2-[(4-*tert*-butylbenzyl)amino]-2-oxoethyl}-1*H*-benzimidazole-7-carboxylate,  
Methyl 1-(2-{[3-methoxy-5-(trifluoromethyl)phenyl]amino}-2-oxoethyl)-1*H*-benzimidazole-7-carboxylate,  
Methyl 1-{2-[(3,5-dimethoxyphenyl)amino]-2-oxoethyl}-1*H*-benzimidazole-7-carboxylate,  
*N*-(3,5-Dimethoxyphenyl)-2-{7-[(dimethylamino)sulfonyl]-1*H*-benzimidazol-1-yl}acetamide,  
2-{7-[(Dimethylamino)sulfonyl]-1*H*-benzimidazol-1-yl}-*N*-[3-(trifluoromethyl)phenyl]acetamide,  
*N*-(3,5-Dimethoxyphenyl)-2-[7-(propylsulfonyl)-1*H*-benzimidazol-1-yl]acetamide,  
2-[7-(Propylsulfonyl)-1*H*-benzimidazol-1-yl]-*N*-[3-(trifluoromethyl)phenyl]acetamide,

*N*-[3-Methoxy-5-(trifluoromethyl)phenyl]-2-[7-(methylsulfonyl)-1*H*-benzimidazol-1-yl]acetamide,  
*N*-(3,5-Dimethoxyphenyl)-2-[7-(trifluoromethyl)-1*H*-benzimidazol-1-yl]acetamide,  
*N*-(3,4-Dimethylphenyl)-2-[7-(trifluoromethyl)-1*H*-benzimidazol-1-yl]acetamide,  
*N*-(4-*tert*-Butylbenzyl)-2-[7-(trifluoromethyl)-1*H*-benzimidazol-1-yl]acetamide,  
*N*-(2,3-Dihydro-1*H*-inden-5-yl)-2-[7-(trifluoromethyl)-1*H*-benzimidazol-1-yl]acetamide,  
2-(7-Cyano-1*H*-benzimidazol-1-yl)-*N*-(3,5-dimethoxyphenyl)acetamide,  
2-(7-Cyano-1*H*-benzimidazol-1-yl)-*N*-(3-methoxyphenyl)acetamide,  
2-(7-Cyano-1*H*-benzimidazol-1-yl)-*N*-[3-(trifluoromethyl)phenyl]acetamide,  
2-(7-Cyano-1*H*-benzimidazol-1-yl)-*N*-(2,3-dihydro-1*H*-inden-5-yl)acetamide,  
*N*-(2,3-Dihydro-1*H*-inden-5-yl)-2-(7-fluoro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(3,5-Dimethoxyphenyl)-2-(7-fluoro-1*H*-benzimidazol-1-yl)acetamide,  
*N*-(4-*tert*-Butylbenzyl)-2-(7-fluoro-1*H*-benzimidazol-1-yl)acetamide,  
2-(7-Amino-1*H*-benzimidazol-1-yl)-*N*-[3-(trifluoromethyl)phenyl]acetamide,  
2-[7-(Acetylamino)-1*H*-benzimidazol-1-yl]-*N*-[3-(trifluoromethyl)phenyl]acetamide,  
2-{7-[(Methylsulfonyl)amino]-1*H*-benzimidazol-1-yl}-*N*-[3-(trifluoromethyl)phenyl]acetamide,  
2-[7-(Dimethylamino)-1*H*-benzimidazol-1-yl]-*N*-[3-(trifluoromethyl)phenyl]acetamide,  
2-[7-(Isopropylamino)-1*H*-benzimidazol-1-yl]-*N*-[3-(trifluoromethyl)phenyl]acetamide,  
*N*-(3,5-Dimethoxyphenyl)-2-[7-(1*H*-tetrazol-5-yl)-1*H*-benzimidazol-1-yl]acetamide,  
and  
2-(6,7-Difluoro-1*H*-benzimidazol-1-yl)-*N*-[3-(trifluoromethyl)phenyl]acetamide,  
or a pharmaceutically acceptable salt thereof, ~~solvate or solvated salt thereof~~.

9.(previously amended)      A pharmaceutical composition comprising as active ingredient a therapeutically effective amount of the compound according to claim 1, in association with one or more pharmaceutically acceptable diluents, excipients and/or inert carriers.